

**BUILDING DEVELOPMENT COMMISSION**  
**Minutes of June 21, 2011 Meeting**

Jon Morris opened the Building-Development Commission (BDC) meeting at **3:02 p.m. on Tuesday, June 21st, 2011.**

**Present:** Jon Morris, Ed Horne, Travis Haston, Jonathan Wood, Dave Shultz, Buford Lovett, Bernice Cutler Harry Sherrill, Hal Hester and Kevin Silva

**Absent:** Elliot Mann, Zeke Acosta and Will Caulder

## **1. APPROVAL OF THE MINUTES**

*The motion by Dave Shultz seconded by Harry Sherrill to approve the May 17th, 2010 meeting minutes passed unanimously.*

## **2. BDC MEMBER ISSUES AND COMMENTS**

No member issues or comments.

## **3. PUBLIC ATTENDEE ISSUES AND COMMENTS**

Mark Baldwin thanked Code Enforcement's Jeff Griffin for the presentation to HBA Members on Deck Construction.

## **4. CHARLOTTE PLANNING REPORT ON STATUS OF PROPOSAL**

Jim Bartl introduced Debra Campbell and John Howard from Charlotte Planning and thanked them for responding to the BDC's invitation for presentation on a text amendment that they are moving forward on and will be going to their planning commission's executive committee asking to file this text amendment on behalf of the Planning Commission. July 1, 2011 is the anticipated date to file the petition, have the hearing in September and hopefully a decision in October. This is on Residential Design Standards. There has been lots of movement since we last presented to you so we are providing an update as to where we are. There are a couple of aspects of the text amendment that we will not move forward on and will give you an update on that state legislation that may make it impossible to move on it from a local perspective. See attached handout of said presentation:

### **Q and A:**

**JM:** As you are going through the presentation can you point out how this pertains to Code Enforcement and how it will integrate into our process in plan review?

**JM:** What was the change in the NC Legislature?

**D. Campbell:** Senate Bill 731 basically is to restrict aesthetic regulations with zoning ordinances across the state not just Mecklenburg County.

**TH:** Will the permit submittal go through a planning hold before the county looks at the plans for permit?

**JB:** It will be concurrent with the other reviews.

**TH:** So if the city kicks it back, you just put a hold on it and it goes back?

**JB:** They automatically get a hold in the system and the issuance of the permit is predicated on them releasing their hold which is electronic. We don't have latitude to release the hold only they do.

**TH:** So you stop your permitting process at that point?

**JB:** If your question is would we complete our review, yes. We will always make our comments and come back to you. The problem is we couldn't issue the permit until you've resolved their issues.

**TH:** If their issues impact the whole design and the structure has to be redesigned then obviously you've got to start over.

**JB:** That's correct; it's conceivable that next time through you could run into some issues. One thing you always have to confirm if that's a problem or not as you work things out with them we have RTAC where you can go in and talk to the residential reviewers and confirm what you're up against on their side too.

**HS:** How would you know (say you've completed the building code review for the project) and they were waiting on the release from the city and the city is actually through their review process requiring a revision to the plans that you just approved. How does that work? You're going to actually review the city comments to know if you need to have the plans reviewed again. I'm talking about a single parcel issue. Where it'd be reviewed and

approved by and for Code Enforcement but then there is an issue with the city and the zoning process which might necessitate a change in planning. How does the county know that's going to occur and they need to take back the approval?

**JB:** They come back in for a second cycle.

**PG:** We build our system on cycles and events and when zoning approves something it either closes the cycle or closes the event. If they disapprove it goes into another cycle. Usually what we do is have openings where everybody has to line up for approval. When it lines up then the permit can go to the validation point. But if it doesn't it moves to another cycle whether information is required from zoning or building. That's how it works. Currently we're just doing building reviews and now zoning reviews. One cycle will close and another cycle would open if it was disapproved and the collaboration would have to start because it's electronic like Jim said and there is a link there.

**BC:** Can we assume if it is getting disapproved by zoning you are automatically going to look to make sure there are no changes?

**PG:** I think there will be some type of communication; I haven't validated what that will look like; whether it's an email or a synopsis of notes. I think that we are going to have to validate whether there is a code compliance issue.

**BC:** How will that impact the pass fail?

**PG:** This process right now is not being graded if you are referring to the AE Pass Rate.

**BC:** Right, if I have a change say something in the plan and it comes back through you then you are doing a second review even though I passed the first time.

**JB:** That's on the residential side and we don't grade those.

**JB:** One thing that we haven't dotted the I's and crossed the T's on; Deborah and I talked on a preliminary basis at what point do they receive notice that it needs to be checked in the field? We thought we could set that up electronically but weren't certain what the trigger is. Is it the rough? That's when the building rep is automatically called for then it automatically sends a notice to the city because that can all be programmed electronically and that was our idea. So that the builders wouldn't have to call for a special inspection, that one of the other inspections automatically triggers it. The thing is we want to get that trigger at the right spot. It's certainly not the foundation, it's probably the rough, but I think we need to put more thought into that and we need to sit down with the home builders and talk about what works best for both the City in terms of gaining compliance and the home builders so that if there is an issue it is flagged early enough so that you can do something with it. We can handle that electronically too.

**PG:** I think we need to map it out. If we do have to go back then I'd answer his question with, yes there may be some resource issues. I would have to see the whole map and how it works.

**JB:** Our assumption was that if we set this up electronically as much as possible that the impact on us would be minimal. The biggest impact is going to be on city staff to verify the items and communicate with you. That's also why we were interested in being sure there is an electronic trigger in the inspection process so that it's between the permit holder and the city about whether they have compliance or not; it's not us.

**TH:** How is this going to impact from a financial standpoint? Is this going to trickle down to the owners, builders, architects and engineers through a separate account? A person is going to be looking at this as to whether to approve or disapprove it, how is that salary paid, through a fee?

**JH:** Paid through existing staff. We are not looking at any additional staff.

**BC:** What is the process now?

**M. Ferguson:** The process now for residential approvals takes about 30 minutes depending on the complexity of the permit. We have been doing a basic review up until now to make sure the setbacks are adhered to and are outlined on the permit. With this new process it's going to be more in depth. We have worked with the county to include us in the plan review process to be able to look at the building plans just like in the breezeway connections when you submit those drawings we'll be able to look at that to make sure that it has a roof structure on that can't be walked on. Things like that are the things that we would look at. With the front loading garages, I think there will be a minimum setback requirement so that cars can't back out into the streets. So those are the things we will look at. We anticipate it's probably going to double our review process in that as far as the time

but we haven't anticipated at this point any staff increases. These assumptions are being based on the current permits that are coming in for new projects. If permits increase that might be a requirement to look at staffing.

**JM:** Is there a program or thought to communicate this to the Architects and Engineers so hopefully they'll design their driveways 20' long so that cars can fit in it?

**DC:** That is exactly what we have been talking about doing. And I know that we've only been doing this internally. There have been a number of changes in the City of Charlotte that we want to present. We do feel the need to have some type of educational session to invite people to come; i.e. a workshop and then have printed material that says here are all the suggested changes. We were thinking about trying to run something like that in the fall so we can get through the summer months and get things hopefully adopted first and foremost and be able to gear up staff to hold such an event.

**JM:** We have a lot of issues ourselves that we hold brown bag lunches for and can get with the home builders association, contractors and different groups that are represented on the BDC so maybe we could help you in that arena.

**KS:** If you are in violation currently will you be grandfathered in?

**JH:** Yes

**DC:** We are trying to make a lot of this happen January 2012. The effective date of the text amendment is January 2012. We are trying to include some language in the text to make sure that those particular developments don't get caught in the middle of the change. We just need to figure out what the language will be.

## **5. UPDATE ON STATUS OF RFBA, TP/LCU/TCO/CC/CO**

Jim Bartl gave an update on the status of the RFBA that will be before the Board of County Commissioners tonight and will likely take two readings so it will be approved in the first meeting of July. As part of the follow-up action from last month's meeting Jim sent all a memo on May 27<sup>th</sup> covering a couple of points. 1) Regarding automating the initial temporary power application. The way that we did that is simply to require a notarized owner's signature on the form and that can be done by fax or .PDF. 2) Have a customer option when they took out the initial permit of placing the order at that time for Temporary Permit and we could do that, it would take additional programming but we also wonder that if the answer to your question on the first thing which was automating the initial temporary power application do you really need the second one which is going to cost us additional programming? What I'm asking is if the memo I sent around was clear to everyone or do you have questions? Hearing no questions, I'll go on to the next thing. Also there was an explanation of the department's position on final power connects and that's something that we spent quite a bit of time going over with the County Attorney and we're both (the department and Marvin) are comfortable that our interpretation of authorizing power only after all the certificates of compliance and local holds are released that that's the correct interpretation of the general statutes the way that we looked at it. So does anyone have any questions about that? Mark we'd be happy to meet with Elliot, you, Gene and the CEMs separately if he has follow-up questions. The letter explained it in good detail. Other than that, we just wanted to update you on what we're doing in terms of getting public information out there. Gene Morton gave an update on getting the information out to the public. We've already sent out emails through Notify Me, we've posted notices at the CO Counter; we've already announced and made presentations at the building and electrical consistency group meetings about the new process. Up next will be the mechanical plumbing association consistency meetings. We've also posted on meckpermit.com under "what's new" on our web site.

## **6. DEPARTMENT NOTIFIED OF THREE NACO AWARDS**

Patrick Granson updated the BDC that on June 10<sup>th</sup> the NACO advised our department that we received three achievement awards. These awards are 1) Architect/Engineer Pass Rate Incentive Program, 2) Team Plan Review and 3) Professional Certification Program. These awards were given based on utilized creativity and imagination in improving efficiency in our system. The NACO Achievement Awards started in 1970 and looks at each category for its merit and how it works within the system. Jim Bartl emphasized that w/ these awards

especially on A/E Pass Rate Incentives we really want to recognize the serious investment of time that was put in by the Architects/Engineers; the professionals that were on both the PRTF and the AE Pass Rate Subcommittee and staff to get these programs past the launching pad and working with the professional community to get them to understand the programs was a significant achievement and I think that's why the programs are successful and that's why they got the award. Jim thanked everyone that invested so much time in it because that's why they are a success.

## 7. DEPARTMENT STATISTICS AND INITIATIVES REPORT

### 7.1.1. Permit Revenue

- May- \$1,039,734 with Fy11 YTD at \$10,769,727
- Fy11 projected permit revenue at May, \$944,065/month x 11 = \$10,384,715
- so at May 31, we are above permit fee revenue projection by \$385,011 or 3.71%

### 7.1.2. Construction Value of Permits Issued

- May total - \$131,467,545, with YTD amount \$1,430,804,777
- Fy10 Total at May 31 – \$1,514,811,168
- So YTD figure is down \$84M or 5.87 below YTD at May 31, 2010

### 7.1.3. Permits Issued:

	April	May	3 Month Trend
<b>Residential</b>	3396	3876	2527/3294/3396/3876
<b>Commercial</b>	2326	2168	2392/2483/2326/2168
<b>Other (Fire/Zone)</b>	429	463	399/539/412/463
<b>Total</b>	6151	6507	5318/6316/6151/6507

- Residential up 14%; commercial down 6.8%; total up 5.8%

### 7.1.4. Inspection Activity: inspections performed

Insp. Req.	April	May	Insp. Perf.	April	May	% Change
<b>Bldg.</b>	4293	4374	<b>Bldg.</b>	4223	4341	+2.8%
<b>Elec.</b>	4790	5328	<b>Elec.</b>	4754	5339	+12.3%
<b>Mech.</b>	2592	2791	<b>Mech.</b>	2573	2798	+8.74%
<b>Plbg.</b>	1920	2014	<b>Plbg.</b>	1865	2024	+8.52%
<b>Total</b>	13,595	14,507	<b>Total</b>	13,415	14,502	+8.1%

- All trades up; ranging from 3%- (bldg), to 12%+ (elec)
- total inspections requested up 6.7% \_\_, total inspections performed up 8.1% \_\_
- Inspections performed were 99.9% of inspections requested

#### 7.1.4.1 Inspection Activity: inspections response time

Insp. Resp.	OnTime %	Total % After 24 Hrs. Late	Total % After 48 Hrs. Late	Average Resp. in Days

Time	April	May	April	May	April	May	April	May
Bldg.	97.9	96.0	98.2	96.6	99.1	99.1	1.05	1.09
Elec.	92.3	92.8	93.2	94.0	98.0	98.4	1.17	1.16
Mech.	95.2	96.6	96.1	96.9	97.3	99.0	1.13	1.09
Plbg.	97.4	94.1	97.41	94.9	99.0	98.1	1.06	1.14
Total	95.3	94.7	95.9	95.4	98.3	98.7	1.11	1.12

- Plbg down 3%, Bldg down 2%, Elec up 1/2%; Mech up 1.5%; all well above 85-90% goal range

### 7.1.5. Inspection Pass Rates for May, 2011:

OVERALL MONTHLY AV'G @ 86.03%, compared to 86.25% in April

**Bldg:** April – 79.23%                      **Elec:** April – 86.24%  
 May – 77.44%                                      May – 85.98%

**Mech:** April – 89.52%                      **Plbg:** April – 93.55%  
 May – 89.63%                                      May – 94.92%

- Bldg & Elec down (B-1.8%, E-.26%); Mech & Plbg up (M-.1%, P-1.4%)
- Overall average above Department goal

### 7.1.5.1 CFD Inspection Pass Rate for May, 2011

- CFD overall inspection pass rate of 74.51% for May, or down 4% from April (78.47%)

### 7.1.6. OnSchedule and CTAC numbers for May, 2011

#### CTAC:

- 116 first reviews
  - Projects approval rate (pass/fail) – 66%
  - CTAC was 44.1% of OnSch (\*) first review volume (116/(116+147 = 263)) = 44.1%
- \*CTAC as a % of OnSch is based on the total of only scheduled and Express projects

#### OnSchedule:

- June, 10: 153 - 1st rev'w projects; on time/early – 89.71% all trades, 91.59% B/E/M/P only
- July, 10: 140\* - 1st rev'w projects; on time/early – 87% all trades, 90% B/E/M/P only
- August, 10: 159\* - 1st rev'w projects; on time/early – 87% all trades, 90% B/E/M/P only
- September, 10: 148\* - 1st rev'w projects; on time/early – 85% all trades, 83% B/E/M/P only
- October, 10: 158- 1st rev'w projects; on time/early – 92% all trades, 90% B/E/M/P only
- November, 10: 154- 1st rev'w projects; on time/early – 94% all trades, 94.25% B/E/M/P only
- December, 10: 149- 1st rev'w projects; on time/early – 74.5% all trades, 80% B/E/M/P only (1)
- January, 11: 137- 1st rev'w projects; on time/early – 82.65% all trades, 83.5% B/E/M/P only
- February, 11: 136- 1st rev'w projects; on time/early – 86.6% all trades, 88% B/E/M/P only
- March, 11: 185 (\*)- 1st rev'w projects; on time/early – 85.75% all trades, 84.5% B/E/M/P only
- April, 11: 147- 1st rev'w projects; on time/early – 78.37% all trades, 84.8% B/E/M/P only
- May, 11: 196- 1st rev'w projects; on time/early – 98.5% all trades, 85.5% B/E/M/P only

\*Indicates numbers restated from previous month to correct error in transferring #'s from report

#### Booking Lead Times

- OnSchedule Projects: **for reporting chart posted on line**, on June showed
  - 1-2 hour projects; at 2-4 work day booking lead time, except City Fire at 7 days
  - 3-4 hour projects; at 2 work day lead time, except M/P at 13 days & City Fire at 10 days
  - 5-8 hour projects; at 3-8 days lead time, except M/P-19 days; CFD-10 days, City Zoning-14 days.
- CTAC plan review turnaround time; 3 work days lead time, except City Fire at 1work day
- Express Review – booking lead time was; 6 work days for small projects, 8 work days for large

### **Update on Action/Results in OnSchedule Booking Lead Time**

Patrick Granson gave an update on the action/results in OnSchedule on the booking lead times. We have addressed most of our issues with building using the temporary D-Team; the inspection team helping us out, as well as bringing in two temporary positions. We are at a manageable level at this time. We moved some people around to help with Mechanical/Plumbing but that impact will not be seen until next month. Currently we are running about 9 days under Mechanical/Plumbing for the 10 hour jobs. I think we are going to see a better impact next month in the Mechanical/Plumbing larger jobs.

### **Status Report on Various Department Initiatives**

#### **Revised Credit/Refund Policy**

Gene Morton gave an update on the revised credit/refund policy. We have now amended the form to support the change to the schedule and it is posted on meckpermit.com. and ready for implementation on July 1<sup>st</sup>, 2011. Staff training will follow.

#### **Electronic Permitting Home Page**

Jim Bartl discussed the electronic permitting home page for those trying to use any of our electronic permitting tools. We are developing options on how this might be designed such as group electronic tools by plan review and permitting and links to other key electronic tools to include supporting FAQ. To promote the new web page design the CEM's, Code Administrators and other Managers have been asked to incorporate this announcement through their trade and association meetings.

#### **Start Up of the Cost Recovery Work Group**

Jim Bartl discussed the biggest challenge of this work group is populating it. He thanked the BDC Reps (Zeke, Travis, Hal and Ed) for their help with the CRWG and reminded all we are still trying to fill seats and any and all BDC referrals from private sector representatives will be most appreciated. So far we have Zeke, Travis, Hal and Ed from the BDC and Chris Urquart from the private sector with Intercon. Other plans to get the word out is through the Contractor Dashboard, the EPM homepage, Email blast through Notify Me asking for trade/industry specific seats. Jim asked all to share other ideas they may have to help fill remaining seats.

#### **North Mecklenburg Industrial Park Project**

Chuck Walker gave a presentation on the North Mecklenburg Industrial Park Project describing it was built under the 1978 Code. He also gave a description of the building property and challenges within as well as alternate methods used to bring it up to a useable site. BDC charge was to track this project for its success, also to be used in future success stories.

#### **EV Car Qualified List of Engineers and Contractors**

Joe Weathers shared that the Department continues working with BDC member Ed Horne and CAAEC, PENC to solicit interest in the program certifying Electrical engineers and contractors are proficient in EV supply multiple commercial installations. Joe also shared that Duke Energy gave an update on the launch of their EV charging SF pilot. Duke Energy will install EV supply and monitoring equipment for a limited number of Duke residential customers in the Carolina, enabling them to collect charging date for a 24-month period. The web address will be [www.go4pev.com](http://www.go4pev.com) and is a top priority for the Regional Electric Vehicle Advisory Committee.

## **NC Building Code Council Meeting Outcome**

The NC Building Code Council (BCC) met in Raleigh, NC on June 13 & 14. There were no votes on new petitions (item B) or final action on petitions (item D) as most of the latter was covered in April 21 meeting.

**Code transition schedule:** the BCC and NC DOI confirmed the following new code transition schedules.

- ❖ The 2012 NC Building, Fire Prevention, Mechanical, Plumbing and Fuel Gas Codes will have a transition period of September 1, 2011 through March 1, 2012.
- ❖ The 2011 NC Electrical Code will be effective on September 1, 2011, with no transition period.
- ❖ Subject to final action by the NC General Assembly, at this time it appears that the 2012 NC Residential Code and NC Energy Conservation Code will have a transition period of January 1, 2012 through March 1, 2012.

## **NC BCC BIM-IPD Ad Hoc Committee Progress**

- The Ad Hoc Committee held a conference call on June 6 to prep for the public hearing.
- The BCC held a public hearing on this code change petition (and others) on Monday, June 13. Five private sector Ad Hoc Comm members attended and testified on behalf of the proposal
  - Testimony ran over 60 minutes, exceptionally long for a single topic like this.
  - Plus an Admin Committee at large meeting discussed it for another 30 minutes on Monday pm.
  - Agreed to add language emphasizing this is a voluntary program for both owner's team and AHJ.
- The next action by the BCC on this petition should be a final vote on August 23.

## **NC General Assembly Actions Relevant to the BDC & Department's Work**

- Impact of Session Law 2011-13, per B Gupton of NCDOI: effective thru 7/1/ 2012, includes the following;
  - all projects must stipulate their statewide cost impact, whether increase or decrease
  - Projects with cost impact > 500k require submission of an economic impact statement
  - Uncertain who performs economic impact statement, maybe NC Office of State Budget & Mgmt.
  - Uncertain of who pays for economic impact statement; maybe proponent.
- Other: list is probably longer and can be confirmed in the July BDC meeting
  - Electronic storage technical correction
  - HB648 changes to NCGS 87-14a owner as contractor permit exemptions

## **Other**

### **RFBA on Electronic Permitting**

- Approved by the BOCC on Tuesday night, May 17; takes affect 7/1/2011.
- Tim Taylor and others are working to publicize the change.

## **Manager/CA Added Comments**

Chuck Walker introduced Rob Belise, Chapter President of PENC's South Piedmont Chapter as a possible replacement of Dave Shultz' seat on the BDC.

## **8. Adjournment**

The June 21<sup>st</sup>, 2011 Building Development Commission meeting adjourned at 4:45 p.m.

**NOTE:** The next **BDC Meeting** is scheduled for **3:00 p.m., Tuesday, July 19<sup>th</sup>, 2011.**  
Please mark your calendars.